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# **Rethinking Crime and Punishment in Europe**

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## **BOOK OF ABSTRACTS**

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## **MATERIAL DETENTION CONDITIONS, EXECUTION OF CUSTODIAL SENTENCES AND PRISONER TRANSFER IN THE EU**

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It is doubtful whether the practical operation (by the end of 2011) of the EU Prisoner Transfer Framework Decision (allowing compulsory transfer of sentenced EU nationals to their 'home' Member State) is compatible with its official social rehabilitation objective. IRCP (Ghent University), with EC financing, has conducted the first EU27-wide study on material detention conditions, early/conditional release provisions and sentence execution modalities. Compliance with relevant international and European norms and standards proves to be highly inconsistent across the EU and the differences identified are likely to undermine the operation of EU prisoner transfer regulations as they stand.

Proposed flanking measures to overcome legal and practical problems identified relate to prison standards, the procedural rights of prisoners whose transfer is pursued and other legislative remedial action, such as the introduction of a new cross-border *lex mitior*.

## **MEASURING THE PUNITIVENESS OF SENTENCING IN ENGLAND AND WALES**

**STEPHANIE WALLACE**

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The severity of a sentence can be regarded as a measure of punitiveness. However with the variety of disposals available to the courts, how do we assess which sentences are more punitive than others and also, are all punishments equally proportioned for a given offence? Previous studies have constructed punishment scales based on opinion rather than empirical evidence, while others have excluded certain disposals from the analysis. Therefore I propose the structuring of a uni-dimensional 'Punishment Severity Scale' encompassing all sentences; using advanced statistical modelling with probation data from England and Wales.